



**GLENDALE CITY COUNCIL MEETING**  
**Council Chambers**  
**5850 West Glendale Avenue**  
**June 13, 2006**  
**7:00 p.m.**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE [MINUTES OF MAY 23, 2006](#)**

**PROCLAMATIONS AND AWARDS**

[RECOGNITION OF COMMUNITY SERVICE FOR PLANNING COMMISSIONERS ERNIE ARCE AND MICKEY LUND](#)

[RECOGNITION OF STUDENTS FOR “RECYCLING IS FUN” DESIGN-A-SIGN CONTEST](#)

**CONSENT AGENDA**

**Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.**

1. [LIQUOR LICENSE NO. 3-1056 – PAPA’S GYROS RESTAURANT](#)
2. [LIQUOR LICENSE NO. 3-1057 – RED DEVIL PIZZA BISTRO](#)
3. [LIQUOR LICENSE NO. 3-1058 – STINGERS SPORTS BAR](#)
4. [AWARD OF BID 06-18, LIQUID CARBON DIOXIDE](#)
5. [AWARD OF BIDS 06-22 AND 06-23, WATER QUALITY LABORATORY INSTRUMENTS](#)
6. [AWARD OF PROPOSAL 06-27, RIGHT-OF-WAY LANDSCAPE MAINTENANCE](#)
7. [AWARD OF PROPOSAL 06-28, GRAND AVENUE OVERPASSES RIGHT-OF-WAY LANDSCAPE MAINTENANCE](#)

8. [AWARD OF BID 06-29, APPLICATION OF GRANITE IN CITY RIGHT-OF-WAYS](#)
9. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - HICKMAN'S EGG RANCH](#)
10. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – PUBLIC SAFETY TRAINING CENTER, PHASE ONE](#)
11. [AWARD OF CONSTRUCTION CONTRACT FOR THE HICKMAN AND WESTGATE OVERFLOW PARKING LOTS](#)
12. [AWARD OF CONTRACT – FY 2006-07 RUBBERIZED ASPHALT OVERLAY PROGRAM](#)
13. [APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM](#)
14. [EMPLOYMENT AGREEMENT WITH THE CITY ATTORNEY](#)
15. [SPRING 2006 NEIGHBORHOOD IMPROVEMENT GRANT PROGRAM RECOMMENDATIONS](#)
16. [APPROVAL OF SOLE SOURCE BID FOR LADDER TRUCK REPAIR](#)
17. [2006-07 PERFORMING ARTS GRANTING PROGRAM](#)
18. [DIGITAL RADIO SYSTEM UPGRADE](#)
19. [AUTOMATED RED LIGHT RUNNING ENFORCEMENT PILOT PROGRAM](#)

#### **CONSENT RESOLUTIONS**

20. [THUNDERBIRD ROAD AND 59<sup>TH</sup> AVENUE DEVELOPMENT AGREEMENT](#)
21. [ARIZONA ATTORNEY GENERAL'S OFFICE VICTIMS' RIGHTS PROGRAM GRANT](#)
22. [INTERGOVERNMENTAL AGREEMENTS WITH LAW ENFORCEMENT AGENCIES TO FORM THE WEST VALLEY COALITION](#)
23. [REQUEST EXEMPTION FROM INDUSTRIAL COMMISSION OF ARIZONA SECURITY REQUIREMENTS](#)
24. [INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR FIBER OPTIC CABLE ON SR 101L](#)

25. [SETTLEMENT WITH PRICEWATERHOUSECOOPERS IN THE NATIONAL CENTURY FINANCIAL ENTERPRISES BANKRUPTCY ACTION](#)

#### **PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

26. [GENERAL PLAN AMENDMENT \(GPA06-02\) AND REZONING \(ZON06-02\): 5251 NORTH 99<sup>TH</sup> AVENUE](#)
27. [GENERAL PLAN AMENDMENT \(GPA05-09\) AND REZONING \(ZON05-16\): THE GLEN AT 83<sup>RD</sup> AVENUE - 8283 WEST GLENDALE AVENUE](#)

#### **ORDINANCES**

28. [ANNEXATION AREA NO. 160 ORDINANCE](#)
29. [SALT RIVER PROJECT WELL SITE LAND EXCHANGE AND EASEMENT: NORTHWEST CORNER OF 75<sup>TH</sup> AVENUE AND BETHANY HOME ROAD](#)
30. [PROPOSED INCREASE TO DEVELOPMENT IMPACT FEES](#)
31. [DEEDS AND EASEMENTS ORDINANCE](#)

#### **PUBLIC HEARING – RESOLUTIONS**

32. [FISCAL YEAR 2006-07 PRELIMINARY OPERATING BUDGET AND FISCAL YEAR 2007-2016 PRELIMINARY CAPITAL BUDGET](#)
33. [PROPOSED INCREASE IN WATER AND SEWER RATES](#)

#### **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

#### **CITIZEN COMMENTS**

**If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the matter to the City Manager for follow up. Once your name is called by the Mayor, proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.**

#### **COUNCIL COMMENTS AND SUGGESTIONS**

#### **ADJOURNMENT**

**Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:**

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

## CALL TO ORDER – PLEDGE OF ALLEGIANCE

## APPROVAL OF THE [MINUTES OF MAY 23, 2006](#)

## PROCLAMATIONS AND AWARDS

### [RECOGNITION OF COMMUNITY SERVICE FOR PLANNING COMMISSIONERS ERNIE ARCE AND MICKEY LUND](#)

**Purpose:** This is a request for City Council to recognize Ernie Arce and Mickey Lund for their dedicated service to Glendale's Planning Commission. The function of the Planning Commission is to provide analysis and recommendations to Council on matters affecting land use and development within the city.

Mr. Arce served on the Planning Commission from 2002 to 2006 representing the Sahuaro District. Ms. Lund served on the Planning Commission from 2002 to 2006 representing the Barrel District.

**Recommendation:** Present plaques to Ernie Arce and Mickey Lund for outstanding service to the City of Glendale as members of the Planning Commission.

### [RECOGNITION OF STUDENTS FOR "RECYCLING IS FUN" DESIGN-A-SIGN CONTEST](#)

**Purpose:** This is a request for City Council to recognize four Glendale students for their drawings submitted for a Design-A-Sign contest sponsored by the Glendale Sanitation Division.

**Background:** The Sanitation Division initiated a contest for children aged six to nine to submit a drawing with the theme "Recycling is Fun." A total of 60 children participated in the contest and all children received a certificate of recognition. Winners in each age group will have their artwork reproduced on a sign for display on the side of one of the city's recycling trucks.

**Community Benefit:** The Glendale Recycling Program provides residents an opportunity to recycle by collecting paper, plastic, and metal products once a week from each single-family home. The key to a lasting program in the community is to encourage children to learn about recycling and participate in the program. Thousands of children have taken tours of the Glendale Materials Recovery Facility where the recyclable material is baled and sold. The prominent display of children's artwork reaches out to the next generation of recyclers, thereby helping to reinforce recycling.

**Recommendation:** Present Sydney Horton (age 6), Vincent Ferroni (age 7), Ashleigh Padgett (age 8), and Angel Sanchez (age 9) certificates of recognition for their entries in the Design-A-Sign contest.

## CONSENT AGENDA

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### 1. [LIQUOR LICENSE NO. 3-1056 – PAPA’S GYROS RESTAURANT](#)

**Purpose:** This is a request by Seyyed Ali Sarmadi for City Council to approve a new license application for this Series 12 (Restaurant - All Liquor) license for Papa’s Gyros Restaurant, located at 4935 West Glendale Avenue #4.

**Background:** The approval of this license will increase the total number of liquor licenses in this area by one.

The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

**Public Input:** No protests were received during the 20-day posting period.

**Recommendation:** Forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1056.

### 2. [LIQUOR LICENSE NO. 3-1057 – RED DEVIL PIZZA BISTRO](#)

**Purpose:** This is a request by Mark Nicholas Tomasello for City Council to approve a new license application for this Series 12 (Restaurant - All Liquor) license for Red Devil Pizza Bistro, located at 18295 North 83<sup>rd</sup> Avenue, C-103.

**Background:** The approval of this license will increase the total number of liquor licenses in this area by one.

The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

**Public Input:** No protests were received during the 20-day posting period.

**Recommendation:** Forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1057.

### 3. [LIQUOR LICENSE NO. 3-1058 – STINGERS SPORTS BAR](#)

**Purpose:** This is a request by Dale William Hanson for City Council to approve a person-to-person transfer of ownership for this Series 6 (Bar - All Liquor) license for Stingers Sports Bar, located at 10222 North 43<sup>rd</sup> Avenue, Units 14 & 15.

**Background:** The approval of this license will not increase the total number of liquor licenses in this area.

The establishment is over 300 feet from any school or church. The Planning Department, Police Department, and the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements.

**Public Input:** No protests were received during the 20-day posting period.

**Recommendation:** Forward a recommendation for approval to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1058.

### 4. [AWARD OF BID 06-18, LIQUID CARBON DIOXIDE](#)

**Purpose:** This is a request for City Council to approve the award of Bid 06-18 for liquid carbon dioxide to Praxair, Inc.

**Council Strategic Goals Or Key Objectives Addressed:** Approval of this bid award will assist in achieving the Council's goal of providing high quality services to Glendale citizens.

**Background:** The City of Glendale, along with the City of Chandler, issued a solicitation with the combined annual requirements for liquid carbon dioxide. Liquid carbon dioxide is used at water treatment plants to improve the overall water quality. The Cholla Water Treatment Plant is currently using liquid carbon dioxide and the Oasis Water Treatment Plant will also use this product when the plant comes on-line in late 2007 or early 2008.

Four bids were received with the lowest responsive bid submitted by Praxair, Inc. Upon approval by Council, the agreement will be in effect for one year. The agreement also contains bid specifications that will permit the city, at the discretion of the City Manager, to extend this agreement for four additional years in one-year increments.

**Community Benefit:** Entering into a cooperative purchase agreement allows the city to take advantage of cost saving prices that could not be realized if a proposal was issued for Glendale's needs only.

**Budget Impacts & Costs:** Funding is available in the following operating base budget account during the next five years.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$86,250

**Account Name, Fund, Account and Line Item Number:**

Cholla WTP, Account No. 83-6422-7521

**Recommendation:** Approve the award of Bid 06-18 for liquid carbon dioxide to Praxair, Inc. in an amount not to exceed \$86,250.

5. [AWARD OF BIDS 06-22 AND 06-23, WATER QUALITY LABORATORY INSTRUMENTS](#)

**Purpose:** This is a request for City Council to award bids 06-22 and 06-23 and authorize the purchase of two replacement Gas Chromatograph Mass Spectrometer (GCMS) water quality instruments for the Water Quality Laboratory. The two GCMS units are not identical. Each GCMS will have a different configuration, and will be used for different analytical methods.

**Council Strategic Goals Or Key Objectives Addressed:** Replacement of the Water Quality Laboratory instruments will assist the city in maintaining a high quality drinking water service for the citizens.

**Background:** The current water quality testing instruments need replacement due to age, frequency of maintenance and repairs, and difficulty in obtaining replacement parts.

Three bids were received in response to the city's request for both proposals 06-22 and 06-23, for the purchase of water quality testing instruments to replace older instruments. A committee consisting of staff from the city's Water Quality Laboratory and an analyst from a private laboratory reviewed the offers received. Specific evaluation factors included: compliance with specifications, customer support, references and overall cost. For both bids, the offer scored highest by the committee was submitted by Agilent Technologies, Inc.

One GCMS instrument will be used for the analysis of volatile organic compounds such as solvents and trihalomethanes. This item will replace existing equipment that is approximately 10 years old.

The second GCMS instrument will be used for the analysis of semi-volatile organic compounds such as haloacetic acids and pesticides. This item will replace existing equipment that is approximately nine years old.

**Community Benefit:** Both instruments will be used to regularly monitor and ensure the safety of the city's drinking water and compliance with the Safe Drinking Water Act.

**Budget Impacts & Costs:** Funding is available in FY 2005-06, Water Quality Instruments.



Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$160,342

**Account Name, Fund, Account and Line Item Number:**

Water Quality Instruments, Account No. 50-9220-8400

**Recommendation:** Award bids 06-22 and 06-23 to Agilent Technologies, Inc. and authorize the purchase of the water quality testing instruments in an amount not to exceed \$160,342.

6. [AWARD OF PROPOSAL 06-27, RIGHT-OF-WAY LANDSCAPE MAINTENANCE](#)

**Purpose:** This is a request for City Council to approve the award for a right-of-way landscape maintenance contract for all city-landscaped right-of-ways to Mariposa Horticultural Enterprises Inc.

**Council Strategic Goals Or Key Objectives Addressed:** Approval of this bid award will assist in achieving the Council's goal of providing high quality services to Glendale citizens.

**Background:** The city has contracted for right-of-way landscape maintenance since the mid-1990s. To continue this service, the city issued a Request for Proposal. To provide opportunities to small and/or minority-owned companies, the proposal was broken into three geographic areas permitting smaller landscaping companies the opportunity to submit a bid. A total of four responses were received.

A committee consisting of staff from the Field Operations Department reviewed the offers received. Specific evaluation criteria included overall cost, compliance with specifications, capabilities, and references. The offer scored highest by the committee for all three geographic areas was submitted by Mariposa Horticultural Enterprises Inc. Upon Council approval, this award will be effective July 1, 2006 and continue for one year. The proposal's specifications contain an option clause that will permit the city, at the discretion of the City Manager, to extend this agreement for four additional years in one-year increments.

**Previous Council/Staff Actions:** Council approved a right-of-way landscape maintenance contract on June 22, 1999 that expired on June 30, 2004. On April 21, 2004, an administrative award was authorized for another vendor effective July 1, 2004. That contract was extended to June 30, 2006. During the FY 2006-07 budget process, Council approved funding as part of a budget supplemental for new landscape maintenance services for areas that will be added to the city's landscape maintenance contract.

**Budget Impacts & Costs:** Existing funding is available for right-of-way landscape areas currently being maintained. A budget supplemental was submitted by the Field Operations Department to fund on-going maintenance of the additional landscaped areas starting in FY 2006-07.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$500,000

**Account Name, Fund, Account and Line Item Number:**

Right-of-Way Maintenance, Professional and Contractual, Account No. 12-6224-7330

**Recommendation:** Approve the award for a right-of-way landscape maintenance contract for all city-landscaped right-of-ways to Mariposa Horticultural Enterprises Inc. in an amount not to exceed \$500,000.

7. [AWARD OF PROPOSAL 06-28, GRAND AVENUE OVERPASSES RIGHT-OF-WAY LANDSCAPE MAINTENANCE](#)

**Purpose:** This is a request for City Council to approve the award for right-of-way landscape maintenance associated with the new Grand Avenue overpasses to Westscape Environmental, Inc.

**Council Strategic Goals Or Key Objectives Addressed:** Approval of this bid award will assist in achieving the Council's goal of providing high quality services to Glendale citizens.

**Background:** The Arizona Department of Transportation has recently completed construction and landscaping of overpasses for four Grand Avenue intersections. Upon the state's completion of these landscape improvements, the maintenance becomes the responsibility of the city. To provide for this maintenance, the city issued a Request for Proposal (RFP) and three responses were received. A committee consisting of staff from the Field Operations Department reviewed the offers received. Specific evaluation criteria included overall cost, compliance with specifications, capabilities, and references. The offer scored highest by the committee was submitted by Westscape Environmental, Inc. Upon Council approval, this award will become effective July 1, 2006 and continue for one year. The RFP's specifications contain an option clause that will permit the city, at the discretion of the City Manager, to extend this agreement for four additional years in one-year increments.

**Previous Council/Staff Actions:** Council approved the funding for the maintenance of this newly landscaped right-of-way as part of a budget supplemental for FY 2006-07.

**Budget Impacts & Costs:** A budget supplemental was submitted by the Field Operations Department to fund on-going maintenance of the right-of-way improvements associated with the recently completed Grand Avenue overpasses starting in FY 2006-07.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$66,660

**Account Name, Fund, Account and Line Item Number:**

Right-of-Way Maintenance, Professional and Contractual, Account No. 12-6224-7330

**Recommendation:** Approve the award for right-of-way landscape maintenance associated with the new Grand Avenue overpasses to Westscape Environmental, Inc. in an amount not to exceed \$66,660.

8. [AWARD OF BID 06-29, APPLICATION OF GRANITE IN CITY RIGHT-OF-WAYS](#)

**Purpose:** This is a request for City Council to approve the award to apply additional granite to enhance the city's high impact right-of-ways.

**Council Strategic Goals Or Key Objectives Addressed:** This award will assist the city in maintaining high quality service for citizens and contribute to the city's landscape appearance for mega events.

**Background:** One bid was received to apply decomposed granite in selected city right-of-ways and medians. The selected right-of-ways, Bell Road, Glendale Avenue, and Camelback Road, are considered high visual-impact areas for mega events. The existing granite in these areas has been identified as needing refurbishment. The only bid received came from Sunburst Landscaping, Inc.

**Previous Council/Staff Actions:** Council approved the funding for these enhancements of existing right-of-ways as part of a budget supplemental for FY 2006-07.

**Budget Impacts & Costs:** A budget supplemental was submitted by the Field Operations Department to fund this one-time project to be completed during FY 2006-07.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$377,111

**Account Name, Fund, Account and Line Item Number:**

Right-of-Way – Mega Events, Account No. 03-6260-7330

**Recommendation:** Approve the award to apply additional granite for the enhancement of the city's high impact right-of-ways to Sunburst Landscaping, Inc. in an amount not to exceed \$377,111.

9. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT - HICKMAN'S EGG RANCH

**Purpose:** This is a request for City Council to approve an amendment to the professional services agreement with the firm of Brown and Caldwell Environmental Engineers and Consultants for the environmental remediation, and construction administration of the demolition of the former Hickman Egg Ranch property.

This is also a request for the approval to transfer FY 2005-06 General Fund contingency appropriation authority and funds to cover the costs for this contract amendment.

**Background:** In 2001, the city entered into an agreement to purchase the 19-acre property known as Hickman Egg Ranch, located at 7403 North 91<sup>st</sup> Avenue. Final payment was made in July 2005 and the city took possession of the property. The city hired Brown and Caldwell in July 2005 to perform the environmental site analysis of the property. In February 2006, an emergency services contract was given to Brown and Caldwell to expedite the environmental clean up and demolition of the structures on the property.

**Previous Council/Staff Actions:** On July 17, 2001, Council approved the purchase of the property. On July 12, 2005, Council approved the professional services agreement with Brown and Caldwell Environmental Engineers and Consultants for the environmental site analysis.

**Public Input:** Engineering staff has been in contact with the local homeowners association and the principal of the neighboring high school to keep them informed of the progress of the project.

**Budget Impacts & Costs:** This transaction will require the transfer of General Fund contingency appropriation authority and funds of \$458,000 from FY 2005-06 General Fund Contingency, Account No. 01-2450-7000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X		X	\$458,000

**Account Name, Fund, Account and Line Item Number:**

PAYGO account number to be assigned upon approval - \$458,000

**Recommendation:** Approve the amendment to the professional services agreement with Brown and Caldwell Environmental Engineers and Consultants.

Authorize the transfer of \$458,000 in appropriation authority and funds from the FY 2005-06 General Fund Contingency to a new division that will be established in the city's PAYGO program upon Council's approval of this contract award.

10. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – PUBLIC SAFETY TRAINING CENTER, PHASE ONE

**Purpose:** This is a request for City Council to approve Amendment No. One to the professional services agreement with Lawrence Enyart Architects. The amendment will provide additional design and construction administration services for the Public Safety Training Facility to meet the needs of Glendale's partners, including the cities of Avondale, Peoria and Surprise, and the Maricopa County Community College District (MCCCD).

**Council Strategic Goals Or Key Objectives Addressed:** The Public Safety Training Facility will provide a new resource for the training of fire and police personnel. The ability to meet the future demands for trained public safety personnel will help ensure the public's safety.

**Background:** Lawrence Enyart Architects was awarded a professional services agreement in June 2005 for the design of phase one of the Public Safety Training Facility. This design was to accommodate only the needs of the Glendale Fire and Police Departments.

The Intergovernmental Agreement (IGA) that Council approved on March 14, 2006 with the cities of Peoria, Surprise and Avondale, and the MCCCD resulted in the need for alterations of the initial plan for the facility. Specifically, the size of the administration and classroom building will increase from approximately 30,000 square feet to almost 60,000 square feet.

**Previous Council/Staff Actions:** On June 28, 2005, Council approved a professional services agreement with Lawrence Enyart Architects for design and construction administration services for phase one of a Glendale only Public Safety Training Facility.

On March 14, 2006, Council approved an IGA with the cities of Avondale, Peoria and Surprise, and the MCCCD for the financial and operational partnership of the training center.

**Community Benefit:** The facility will provide the Fire and Police Departments the ability to train public safety employees to meet future needs.

**Budget Impacts & Costs:** Funds for this project are available in FY 2006-07 in Public Safety Training Facility Phase I, Account No. 95-8227-8330. These additional costs will be recovered as a component of the partnership funding.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$1,061,761

**Account Name, Fund, Account and Line Item Number:**

Public Safety Training Facility Phase I, Account No. 95-8227-8330.

**Recommendation:** Approve Amendment No. One to the professional services agreement with Lawrence Enyart Architects in the amount of \$1,061,761.

11. AWARD OF CONSTRUCTION CONTRACT FOR THE HICKMAN AND WESTGATE OVERFLOW PARKING LOTS

**Purpose:** This is a request for City Council to approve a Guaranteed Maximum Price (GMP) construction contract with Hunter Contracting Company for the construction of two overflow parking lots to be used for the Cardinals football games and other Arizona Sports and Tourism Authority (AZSTA) related events. The lots will be located on the 19-acre property formerly known as the Hickman Egg Ranch at 7403 North 91<sup>st</sup> Avenue and a 25-acre site located on the Westgate property at the southeast corner of Glendale Avenue and the 101 freeway.

This is also a request for the approval to transfer FY 2006-07 General Fund contingency appropriation authority and funds to cover a portion of the costs for this contract award.

**Council Strategic Goals Or Key Objectives Addressed:** Construction of these two parking lots will satisfy the requirements of the Development Agreement between the City of Glendale, The Arizona Cardinals, and the AZSTA.

**Background:** The development agreement between the City of Glendale, The Arizona Cardinals, and the AZSTA outlines that the city is responsible for providing 5,000 overflow parking spaces for Arizona Cardinals games. The current youth sports fields complex will provide 1,400 turf spaces. The Hickman 19-acre site and the Westgate 25-acre site will provide the remaining required improved parking.

The contract scope with Hunter Contracting Company for the overflow parking lots is part of the larger project known as the youth sports fields, necessary to support the Cardinals Stadium that Hunter Contracting is currently completing.

**Previous Council/Staff Actions:** On July 12, 2005, Council approved the professional services agreement with Brown and Caldwell to assist staff in the remediation and demolition of the Hickman Egg Ranch.

On September 28, 2004, Council adopted a resolution approving the memorandum of agreement with the Arizona Cardinals and the AZSTA outlining the need for overflow parking.

**Community Benefit:** Authorizing the construction of the parking lots will ensure completion before the grand opening of the new Cardinals Stadium.

**Budget Impacts & Costs:** This transaction will require transfers of \$172,810.48 from Cards-Coyotes – Pedestrian Circulation, Account No. 33-9474, and \$627,190 from Buses/Vans, Account No. 33-9444, to the Glendale Onboard Transportation Program, Hickman Site Paving, Account No. 33-9507-8300

This transaction will also require the transfer of General Fund contingency appropriation authority and funds of \$2,028,770 from FY 2006-07 General Fund Contingency, Account No.

01-2450-7000. If Council approves this transfer, a new General Fund PAYGO project-account combination will be created for the expense.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X	X	\$2,828,770.48

Hickman Site Paving, Account No. 33-9507-8300, \$800,000.48 PAYGO account number to be assigned upon approval, \$2,028,770
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**Recommendation:** Approve the Guaranteed Maximum Price construction contract with Hunter Contracting in the amount of \$2,753,707.48 to construct two overflow parking lots and authorize the transfer of \$2,028,770 in appropriation authority and funds from the FY 2006-07 General Fund Contingency to a new division that will be established in the city's PAYGO program upon approval of this contract award.

## 12. [AWARD OF CONTRACT – FY 2006-07 RUBBERIZED ASPHALT OVERLAY PROGRAM](#)

**Purpose:** This is a request for City Council to award a construction contract to M.R. Tanner Construction for the completion of the FY 2006-07 Rubberized Asphalt Overlay Program. This is also a request for the approval to transfer FY 2006-07 General Fund contingency appropriation authority and funds to cover a portion of the costs for this contract award.

**Council Strategic Goals Or Key Objectives Addressed:** This project supports the Council's goal of providing high quality services for citizens.

**Background:** The city utilizes a pavement management system to track the conditions of the existing streets and to prioritize the needed reconditioning and repairs. The FY 2006-07 program is planned to recondition deteriorated streets, repair the damage resulting from construction of utility lines, and to improve arterial, collector, and residential streets throughout the city. To best utilize the available funds, the project has been bid using a base bid and several alternates. The base bid includes approximately four and a half miles of arterial streets including:

- 83<sup>rd</sup> Avenue from Camelback to Bethany Home Road
- 59<sup>th</sup> Avenue from Glendale to Olive avenues
- Glendale Avenue from 59<sup>th</sup> to 63<sup>rd</sup> avenues
- 51<sup>st</sup> Avenue from Olive to Peoria avenues

The collector and residential streets encompass approximately 13.5 miles including:

- 47<sup>th</sup> Avenue from Peoria to where it ends at the Arizona Canal Diversion Channel
- Montebello Avenue from 83<sup>rd</sup> Avenue to where it dead ends near the Grand Canal
- 51<sup>st</sup> to 55<sup>th</sup> avenues between Greenway and Paradise Lane
- 67<sup>th</sup> to 71<sup>st</sup> avenues from Myrtle to Orangewood
- 49<sup>th</sup> to 51<sup>st</sup> avenues between Peoria and Cholla Street
- 55<sup>th</sup> to 59<sup>th</sup> avenue from Thunderbird Road to Acoma



On May 11, 2006, one bid was received. M.R. Tanner Construction, a qualified and licensed contractor, submitted the lowest base bid in the amount of \$3,267,856.10. Three other companies who complete such projects were contacted to find out why they did not bid on the project. Two indicated their current workload would not allow them to complete the work at this time and the third chose not to bid on the project.

**Community Benefit:** This asphalt overlay will provide the community with 18 miles of reconditioned roadways that will assist in noise reduction, improve ride performance, and avoid more costly road reconstruction. It is anticipated that the work will be completed 90 days after the notice to proceed has been issued. Staff anticipates this work will be completed no later than October 15, 2006.

**Budget Impacts & Costs:** Costs associated with rubberized asphalt have risen dramatically over last year. Material costs alone are up over 50% from costs last year. As in the past, the city will also enlist contractual inspection services to ensure the quality of the work. These services are anticipated to cost \$50,000; therefore, the total cost of the project will be \$3,318,000. Funding of \$3 million is in the Street Maintenance Operating Budget, Account No. 12-6232-8300 for FY 2006-07. In order to complete the work, a transfer of \$318,000 in General Fund contingency appropriation authority and funds is required from FY 2006-07 General Fund Contingency Account No. 01-2450-7000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X	X	\$3,318,000

**Account Name, Fund, Account and Line Item Number:**

Pavement Management, Account No. 12-6232-8300, \$3,000,000  
General Fund Contingency, Account No. 01-2450-7000, \$318,000

**Recommendation:** Award the construction contract to M.R. Tanner Construction in the amount of \$3,267,856.10 for the construction of the FY 2006-07 Rubberized Asphalt Overlay Program and authorize the transfer of \$318,000 in appropriation authority and funds from the FY 2006-07 General Fund Contingency to the Pavement Management account.

13. [APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM](#)

**Purpose:** This is a request for City Council to approve a two-year extension of a professional services agreement with URS Corporation in an amount not to exceed \$4,202,275 for general engineering services to complete capital projects in the Glendale Onboard (GO) Transportation Program. The emphasis of this contract is completing preliminary engineering and environmental analysis for the Northern Parkway and identifying and assisting with the purchase of right-of-way for GO funded projects.

**Council Strategic Goals Or Key Objectives Addressed:** One of Council's goals is a city with high quality services for citizens. When voters passed a half-cent sales tax increase in November



2001 to support transportation projects, staff began to implement the GO Program. Engineering is completed or underway for a number GO projects. Construction has started on several street, transit, and bicycle facilities.

**Background:** On January 23, 2002, the City of Glendale requested proposals for general engineering services to implement the capital projects approved by voters of Glendale on November 6, 2001. URS Corporation was selected from a competitive Request for Proposals process as the preferred firm. In the first two years, URS Corporation completed design concepts for most of the projects approved by Glendale voters. On June 11, 2002, Council awarded a contract to URS Corporation to proceed with General Engineering Services for the GO Program with the option to extend the contract for two additional two-year terms for a total of six years. On June 22, 2004, the Council approved a two-year contract extension for URS Corporation to complete outstanding design concepts, acquire right-of-way needed for all GO Program projects, and provide program support including public involvement, quality control, and financial analysis.

This second proposed contract extension will (1) complete the Northern Parkway Design Concept Report and Environmental Assessment, (2) identify and assist with the purchase right-of-way for the Grand Expressway and street intersection projects, and (3) provide program support including design review, public involvement, and financial analysis.

**Previous Council/Staff Actions:** In January 2002 the City of Glendale requested proposals for general engineering services to implement the capital projects approved by the City of Glendale voters. In June of 2002 Council awarded a contract to URS with the option to extend the contract for two additional two-year terms for a total of six years. In June 2004, the Council approved a two-year contract extension for URS Corporation.

**Community Benefit:** In November 2001, Glendale residents approved the GO Program. This program will accomplish improved traffic flow, relieve traffic congestion, increase transportation options, improve air quality, promote economic vitality, and provide regional transportation connections.

**Public Input:** The GO Program includes multiple opportunities for public input. This year an annual report was mailed to all Glendale households, a transportation fair was held on April 9, 2006, and a community meeting for the annual report was held on April 19, 2006. The design and construction of each project also provides opportunities for public involvement.

**Budget Impacts & Costs:** The professional services agreement is estimated at \$4,202,275. Funds are available in proposed FY 2006-07 and FY 2007-08 Capital Improvement Program budgets for the General Engineering Contract, Account No. 33-9462-8330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$4,202,275.

**Account Name, Fund, Account and Line Item Number:**

FY 2006-07 General Engineering Contract, Account No. 33-9462-8330, \$2,065,000

FY 2007-08 General Engineering Contract, Account No. 33-9462-8330, \$2,137,275

**Recommendation:** Approve a two-year extension of the professional services agreement with URS Corporation in an amount not to exceed \$4,202,275. for general engineering services.

14. [EMPLOYMENT AGREEMENT WITH THE CITY ATTORNEY](#)

**Purpose:** This is a request for City Council to approve the Employment Agreement with the City Attorney.

**Recommendation:** Approve and authorize the Mayor to enter into the Employment Agreement with Craig Tindall, to serve as City Attorney.

15. [SPRING 2006 NEIGHBORHOOD IMPROVEMENT GRANT PROGRAM RECOMMENDATIONS](#)

**Purpose:** This is a request for City Council to approve the Spring 2006 neighborhood improvement grant requests and program enhancements, as recommended by the Citizens' Advisory Commission on Neighborhoods.

**Council Strategic Goals Or Key Objectives Addressed:** As part of its commitment to revitalizing and preserving older neighborhoods, Council established the Citizens' Advisory Commission on Neighborhoods to make funding recommendations on neighborhood improvement grant requests. Council also established the Citizens' Advisory Commission on Neighborhoods to provide advice on general policies, strategies and programs relating to the revitalization and preservation of neighborhoods. The commission's recommendations are consistent with the Neighborhood Element of the General Plan and Council's strategic goal of one community with strong neighborhoods.

**Background:** For FY 2005-06, Council set aside \$700,000 to support various neighborhood grant projects. Of this amount, \$270,000 is available for the Spring 2006 Grants Cycle. On May 3, 2006, the Commission on Neighborhoods concluded a two-month review process of nine neighborhood grant requests and voted to recommend funding for each of the projects as follows:

1. Villas Glendale Homeowners' Association – \$15,927 to repave the following streets within the neighborhood: Redfield Road, from 55<sup>th</sup> to 54<sup>th</sup> avenues, and 54<sup>th</sup> Avenue, from Redfield Road to Dailey Street. The neighborhood will contribute a \$30,916 funding match.
2. Arrowhead Ranch Phase II Homeowners' Association – \$90,000 for the installation of landscaping along the west side of 75<sup>th</sup> Avenue, from Adobe Road to just south of the Loop 101 Highway. The neighborhood will contribute a \$53,200 funding match.
3. West Plaza III & IV Homeowners' Association – \$6,890 for the construction of five sanitation enclosures with access gates within the neighborhood, which is located between

47<sup>th</sup> and 49<sup>th</sup> avenues, from Northern Avenue to just north of Hayward Avenue. The neighborhood will contribute a \$13,374 funding match.

4. Bethany Heights Neighborhood Association – \$78,689 for the installation of a playground shade structure and new sand for the play area in Mary Silva Park, which is located at the intersection of 45<sup>th</sup> and Marshall avenues. This will complete the funding needed for the phased-in improvements previously requested and approved for Mary Silva Park.
5. Chaparral Ranch III Homeowners' Association – \$3,300 for replacing and repairing 66 feet of curbing and gutter on the northeast corner of 66<sup>th</sup> Lane and Onyx Avenue. The neighborhood will contribute a \$1,100 funding match.
6. Roadrunner Estates West Neighborhood Association – \$7,000 for landscape design along the south side of Mountain View Road, from 57<sup>th</sup> to just east of 59<sup>th</sup> avenues. Once design is complete, it is the intent of the neighborhood to apply for construction funds through the Neighborhood Improvement Grant Program.
7. Tierra Buena Neighborhood Association – \$56,000 for improvements to Tierra Buena Park, which is located at 57<sup>th</sup> Avenue and Tierra Buena Lane. Improvements will include the installation of a shade structure and handicap accessible surface for the playground equipment and replacement of the existing concrete volleyball court with a sand surface.
8. Chaparral Country Estates Neighborhood Association – \$7,200 for landscape design along the east side of 83<sup>rd</sup> Avenue, between Ocotillo Road and Maryland Avenue. The design will also include neighborhood identification signage at the east intersection of Tuckey Lane and 83<sup>rd</sup> Avenue. Once design is complete, it is the intent of the neighborhood to apply for construction funds through the Neighborhood Improvement Grant Program.
9. Mohawk Homeowners' Association – \$4,995 for landscaping improvements along the east side of 59<sup>th</sup> Avenue, between Mohawk Lane and the Legends Golf Course. This project will also include removal of a neighborhood identification sign at the northeast intersection of 59<sup>th</sup> Avenue and Mohawk Lane. The neighborhood will contribute an \$11,092 funding match.

In addition to the above recommendations, the commission is also seeking approval of proposed enhancements to the Neighborhood Improvement Grant Program. Based on its review of grant requests over the past two years and in consideration of the goals and objectives outlined in the 5-Year Neighborhood Revitalization Plan, the Commission on Neighborhoods is recommending the following enhancements to the Neighborhood Improvement Grant Program.

1. Grant Limit: Limit individual grant awards to \$80,000, per funding cycle, with an annual review of this amount by the commission.
2. Enhanced Partnerships: Community entities (non-profit/for-profit businesses, schools, faith-based organizations) will be eligible to initiate funding requests as a secondary applicant, in partnership with a neighborhood as the primary applicant.

3. Small Grants: Set aside \$50,000 on a one-time basis for a new, small grants program. The grant awards would have a limit of \$5,000, per year, per requesting neighborhood. The funds would be awarded to qualified neighborhoods upon commission review and approval. Eligible grant awards would include items such as minor infrastructure improvements; one-time pilot programs for neighborhoods with active plans; and neighborhood connection activities. Under this program, all registered Glendale neighborhoods, regardless of age, would be eligible to apply.

**Previous Council/Staff Actions:** The Neighborhood Improvement Grant Program and its funding were reviewed, discussed and approved by Council as a part of the FY 2005-06 budget setting process.

The proposed enhancements to the Neighborhood Improvement Grant Program were initially discussed at the October 18, 2005 City Council Workshop.

**Community Benefit:** Each of the recommended grant projects will make needed improvements in the respective neighborhoods.

The proposed enhancements to Neighborhood Improvement Grant Program will increase partnering among neighborhoods, businesses and community-based nonprofit organizations; make the program more accessible to neighborhoods with small improvement projects; allow for the flexibility to respond to the unique needs of neighborhoods; and encourage fellowship among neighborhood residents.

**Public Input:** The following public meetings were held for the Spring 2006 grants process:

- On February 7 and 11, 2006, the Neighborhood Partnership staff conducted two grant orientations to educate prospective neighborhood applicants about the neighborhood grants process.
- On April 22, 2006, the Neighborhood Partnership staff facilitated a grant hearing at which the nine neighborhood applicants publicly presented their grant requests.
- On May 3, 2006, the Neighborhood Partnership staff facilitated a grant hearing at which the Commission on Neighborhoods considered and made funding recommendations for each of the nine neighborhood grant requests.
- In addition to the above meetings, direct mail, neighborhood newsletters, website publicity, media releases and e-mail notification were all used to notify Glendale residents of the opportunity to apply for a Spring 2006 neighborhood grant.

The following public meetings were held to gain input on the proposed enhancements to the Neighborhood Improvement Grant Program:

- On September 15, 2005, staff of the Community Partnerships Department presented a draft version of the new, 5-Year Neighborhood Revitalization Plan, with proposed enhancements to the Neighborhood Improvement Grant Program, to the Commission on Neighborhoods and the Community Development Advisory Committee.
- On October 18, 2005, staff of the Community Partnerships Department presented a draft version of the new, 5-Year Neighborhood Revitalization Plan, with proposed enhancements to the Neighborhood Improvement Grant Program, to the Mayor and Council during a workshop session.
- At the Commission on Neighborhoods' March 1, 2006 and April 5, 2006 regular meetings, staff of the Community Partnerships Department presented a detailed version of the proposed enhancements to the Neighborhood Improvement Grant Program. The commission unanimously supported the proposed enhancements.
- On May 20, 2006, staff of the Community Partnerships Department conducted a focus group meeting with nine neighborhood residents to gain their input on the proposed enhancements to the Neighborhood Improvement Grant Program. The group of residents unanimously supported the proposed enhancements.

**Budget Impacts & Costs:** Funds for the proposed neighborhood grant requests are available in the following FY 2005-06 Neighborhood Improvement Grant Accounts: 01-4420-8320 and 01-4420-7330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X	X		\$270,000
<b><u>Account Name, Fund, Account and Line Item Number:</u></b>					
Neighborhood Improvement Grant Account No. 01-4420-8330, \$26,117					
Neighborhood Improvement Grant Account No. 01-4420-7330, \$243,883					

**Recommendation:** Approve the Spring 2006 Neighborhood Improvement Grant requests in the amount of \$270,000 and the proposed enhancements to the Neighborhood Improvement Grant Program, as recommended by the Citizens' Advisory Commission on Neighborhoods.

#### 16. [APPROVAL OF SOLE SOURCE BID FOR LADDER TRUCK REPAIR](#)

**Purpose:** This is a request for City Council to approve the expenditure in an amount not to exceed \$65,000 to Frontier Emergency Products for the repair of the Bronto ladder truck.

**Council Strategic Goals Or Key Objectives Addressed:** This item supports the Council's strategic priority of ensuring high quality service for citizens through public safety.

**Background:** In February 2006, the Emergency One Bronto Ladder Truck sustained damaged during routine elevation of the ladder at the fire station. The damage rendered the truck inoperable until repaired.

Frontier Emergency Products, LLC, is the factory authorized repair facility for Emergency One products. In order to maintain National Fire Protection Association standard certification, as well as the lifetime frame and three-year mechanical warranties, any repairs to the Bronto Ladder Truck must be done at a factory authorized maintenance center, otherwise warranties and certifications are voided.

Immediate repairs to the Bronto are necessary to return it to frontline use. Until repaired the city is relying on a 1987 back up ladder truck with 95,000 miles.

**Community Benefit:** Ladder trucks fulfill the obligation the City has to supply ladder coverage to all areas of the city. In addition to providing balanced ladder coverage for the city, the Bronto provides emergency response coverage for EMS incidents and large-scale emergencies.

**Budget Impacts & Costs:** Funds are available in the Equipment Management account.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	\$65,000	X		X	\$65,000

**Account Name, Fund, Account and Line Item Number:**

Equipment Management Account No. 16-6252-7330

**Recommendation:** Approve the expenditure in an amount not to exceed \$65,000 to Frontier Emergency Products for the repair of the Bronto Ladder Truck.

17. [2006-07 PERFORMING ARTS GRANTING PROGRAM](#)

**Purpose:** This is a request for City Council to approve the 2006-07 Performing Arts Grants to support twenty projects.

**Council Strategic Goals Or Key Objectives Addressed:** The Glendale Arts Commission makes recommendations to the City Council on public art acquisitions and awarding performing arts grants, which is consistent with Council's goal of a city with high quality services for citizens.

**Background:** The grant program is now in its eleventh year. Twenty applications, totaling \$48,200, were submitted to the Arts Commission by its March 31, 2006, deadline.

Grant applications were reviewed at the Arts Commission's May 17, 2006 meeting. Applications were reviewed in accordance with the following evaluation criteria: 1) artistic quality, 2) ability to serve the needs of the community, 3) managerial and administrative ability of the applicant organization in producing, presenting or serving the arts and 4) appropriateness of the project budget.

- The Arts Commission recommends twenty grants totaling \$48,200 for funding:
- \$2,500 – Arizona Arts Chorale, collaborative concert with Arizona Winds at Midwestern University;

- \$2,500 – Arizona Wolf Trap, Southwest Human Development, theater workshops taught by performing artists in three preschool programs sponsored by Glendale Elementary School District;
- \$2,500 – Ballet Arizona, outdoor concert at Historic Sahuaro Ranch;
- \$2,500 - Ballet Arizona, workshops taught by ballet dancers at Don Mesendick Elementary School;
- \$2,500 – Bead Museum, performances for Family Fun Day to celebrate the Museum's 30<sup>th</sup> anniversary, new and expanded facilities and *The Vital Force in African Ceremony* exhibition during September 2006;
- \$1,250 – Cactus Country Chorus of Sweet Adelines, holiday concert at the Glendale Adult Center;
- \$2,500 – Center Dance Ensemble, artist-in-residence at Bicentennial South Elementary School during the 2006-07 school year;
- \$2,500 – Deer Valley Unified School District, dance workshops for after school program and three performances at Copper Creek Elementary School during January – April 2007;
- \$2,500 – Glendale Elementary School District, artist-in-residence and theater performance at Horizon Elementary School during November – December 2006;
- \$2,500 – Glendale Parks and Recreation Department, dance workshops and performances for teens at Glendale Community Center and Copper Canyon High School during September 2006;
- \$2,500 – Glendale Public Library, Foothills Branch, series of nine performances and workshops which celebrate the arts and heritage of Arizona during February – March 2007;
- \$2,500 – Glendale Public Library, Main, workshops by authors for local writers during September 2006;
- \$2,500 – Opendance and NosotroSound, Latin American music and dance performances for seniors at Glendale Adult Center, Glendale Public Library and Valley West Senior Center;
- \$2,500 – Peoria Unified School District, workshops and performances for grades 5-9 at Cactus High School Auditorium by Childsplay during the 2006-07 school year;
- \$2,500 – Peoria Unified School District, artist-in-residence in poetry for fourth graders at Desert Palms, Sahuaro Ranch and Marshall Ranch Elementary Schools during the 2006-07 school year;
- \$1,950 – Phoenix Conservatory of Music, two musical and dance performances for seniors at Glencroft, a retirement community;
- \$2,500 – Phoenix Symphony, two concerts for students at the Temple Grandin School of the Children's Center for Neurodevelopmental Studies;
- \$2,500 – Phoenix Symphony, two concerts for students at Copperwood Elementary School;
- \$2,500 – Theater Works, workshops and performance at Canyon Elementary School during the 2006-07 school year;
- \$2,500 – West Valley Arts Council, workshop and performance by Calo Flamenco: Ballet de Martin Gaxiola at Copper Canyon High School during November 2006.

**Previous Council/Staff Actions:** In 1996, Council approved the Performing Arts Grant Program to motivate, increase and support the performing arts in Glendale. Individual grants do not exceed \$2,500 and are funded from the Municipal Art Fund. Since the inception of this program, the city has funded 87 Performing Arts Grants totaling \$206,795.

**Community Benefit:** The Performing Arts Grant Program supports a variety of projects, which make the arts more accessible to Glendale citizens, most notably youth and their families. The arts are spread throughout the community including 31 schools, 2 libraries, 2 senior centers, a regional park and university. Collectively, 374 artists are involved in the twenty projects, which are projected to serve audiences of 12,080.

<b><u>Budget Impacts &amp; Costs: Grants</u></b>	<b>Capital Expense</b>	<b>One-Time Cost</b>	<b>Budgeted</b>	<b>Unbudgeted</b>	<b>Total</b>
	X		X		\$48,200

**Account Name, Fund, Account and Line Item Number:**

Arts Commission Fund 70-9700-8320

**Recommendation:** Authorize the City Manager to execute the documents to complete the grant awards to twenty applicant organizations to the Performing Arts Grant Program.

18. [DIGITAL RADIO SYSTEM UPGRADE](#)

**Purpose:** This is a request for City Council to purchase an upgrade to the digital radio system through Motorola Incorporated in the amount of \$1,250,000. The City of Glendale purchased a state-of-the-art Motorola 800 MHz trunked radio system in 2002, and this upgrade increases the radio system's capacity to address new development and growth in the service area.

**Background:** The city purchased the digital voice radio system in 2002, and the system was fully implemented and functioning at the end of 2003. Police, Utilities, Sanitation, Landfill and Transportation departments utilize this radio system.

The radio system the city currently uses will be upgraded to include additional infrastructure, radio resources and dispatch consoles to be located in the new Communications Center located at the West Valley Regional Training Facility. Additional console positions are necessary due to increased service demand.

**Previous Council/Staff Actions:** The Citywide Project 25 Digital Radio System was approved at a regular Council meeting in June 2002.

**Budget Impacts & Costs:** Entering into an agreement with Motorola Incorporated to provide necessary upgrades to the voice radio system is a necessity projected in Capital Improvement Project 9408.

This transaction will require the transfer of appropriation authority and funds of \$805,594 from FY 2005-06 Development Impact Fee (DIF)--Police Contingency, Account No. 74-8010-7000 to a new project-account number combination that will be created for this portion of the expense.



Remaining funds for this purchase will be used from Public Safety Digital Communications System, Account No. 60-9408-8400.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X		X	\$805,594
	X	X	X		\$444,406

**Account Name, Fund, Account and Line Item Number:**

DIF—Police account number to be assigned upon approval, \$805,594

Digital Communications Software Upgrade Account No. 60-9408-8400, \$444,406

**Recommendation:** Authorize the City Manager to enter into an agreement with Motorola Incorporated in the amount of \$1,250,000.

Authorize the transfer of \$805,594 in appropriation authority and funds from FY 2005-06 Development Impact Fee (DIF)--Police Contingency, Account No. 74-8010-7000 to a new project-account number combination that will be created.

19. [AUTOMATED RED LIGHT RUNNING ENFORCEMENT PILOT PROGRAM](#)

**Purpose:** This is a request for City Council to authorize staff to proceed with a Request for Proposal (RFP) to solicit a vendor for an automated red light running enforcement pilot program.

**Council Strategic Goals Or Key Objectives Addressed:** The proposed pilot program addresses the Council's goal of creating a city with high quality services for citizens.

**Background:** At Council's request, the City Court, Police and Transportation Departments researched and developed a scope of work and staff analysis report. The scope of work includes the technical requirements for a Request for Proposal and the staff analysis report will address Council questions from the January 2006 workshop to include:

- Program administration components
- Impact to city departments including staffing needs (Police Department and City Court)
- Estimated program costs
- Public awareness campaign
- Cost analysis of automated enforcement vs. traditional enforcement
- Program evaluation
- Information on other Valley programs

The pilot project will cover one approach at one intersection for a two-year period. An independent consultant, not affiliated with the red light equipment vendor, will conduct an independent evaluation of the safety impacts following the pilot study.

**Previous Council/Staff Actions:** In January 2006, staff presented Council information on red light and speed enforcement programs in Glendale and other Valley cities. Council directed staff to explore a pilot program for automated red-light enforcement.

**Community Benefit:** Traffic safety is important to Glendale residents. Implementation of a pilot automated red light running enforcement program will allow the city to evaluate the impact of this tool on intersection safety.

**Recommendation:** Authorize staff to proceed with a Request for Proposal to solicit a vendor for an automated red light running enforcement pilot program.

## CONSENT RESOLUTIONS

### 20. [THUNDERBIRD ROAD AND 59<sup>TH</sup> AVENUE DEVELOPMENT AGREEMENT](#)

**Purpose:** This is a request for City Council to approve a development agreement with Tutor Tbird Group, LLC for the development of road improvements at the southwest corner of 59<sup>th</sup> Avenue and Thunderbird Road. The city share of these improvements is estimated not to exceed \$350,000.

**Council Strategic Goals Or Key Objectives Addressed:** One of Council's strategic goals is to provide high quality services to citizens. Improving and providing transportation options within the city will assist in achieving this goal.

**Background:** The Tutor Tbird Group, LLC will construct a childhood development center at the southwest corner of 59<sup>th</sup> Avenue and Thunderbird Road. Proposed roadway improvements at this location include an eastbound right turn lane on Thunderbird Road, and a southbound bus bay on 59<sup>th</sup> Avenue. Improvements to this intersection are part of commitments to voters. The Glendale Onboard Transportation Program will reimburse the landowner up to \$350,000 for the construction costs of these road improvements that are located within the street. The landowner is responsible for improvements behind the curb and gutter.

**Community Benefit:** Construction of a right turn lane on Thunderbird Road, and a southbound bus bay on 59<sup>th</sup> Avenue will provide greater safety, improved traffic flow, less congestion, and aesthetic enhancements. Improvements for this intersection have been scheduled for FY 2009-10 through the Glendale Onboard Transportation Program.

Authorizing the construction for the proposed public street improvements in conjunction with private development improvements will lessen the inconvenience to the traveling public by taking care of the road improvements in the course of one project. Authorizing the public road improvements at this time will make it unnecessary for the city to initiate an additional road improvement project that would adversely impact the traveling public a second time.

**Budget Impacts & Costs:** Funds are available in 59<sup>th</sup> Avenue, Account No. 33-9463-8300.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$350,000

**Account Name, Fund, Account and Line Item Number:**

59<sup>th</sup> Avenue, 33-9463-8300

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to sign any and all documentation relating to a development agreement with Tutor Tbird LLC in an amount not to exceed \$350,000.

21. [ARIZONA ATTORNEY GENERAL'S OFFICE VICTIMS' RIGHTS PROGRAM GRANT](#)

**Purpose:** This is a request for City Council to accept a grant offer in the amount of \$78,600 from the State of Arizona Office of the Attorney General to continue victims' rights programs.

**Background:** This grant will provide funds to the Police Department to continue victims' rights support. This is the thirteenth consecutive year of this program.

**Community Benefit:** Funding from this grant will be used to offset costs associated with the performance of duties that are mandated under victims' rights laws. Services provided through this grant will include direct victims' assistance by caseworkers working in cooperation with the Glendale City Court and the Prosecutor's Office, and the publication and distribution of victims' rights brochures, informational materials, and the maintenance of technology necessary for the timely notification of victims regarding the status of their cases and the status of arrested suspects moving through the city's criminal justice system.

**Budget Impacts & Costs:** There is no financial match required for this funding. This is one-time funding by the State of Arizona Office of the Attorney General. A specific account will be established in Fund 47, the city's grant fund, once the grant agreement is formally executed. The funds provide the salary and benefits for a current full-time employee, Victim Information Notification Everyday (VINE) program and operating expenses.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$78,600		X			\$78,600

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to accept the grant funds in the amount of \$78,600 from the State of Arizona Office of the Attorney General.

22. [INTERGOVERNMENTAL AGREEMENTS WITH LAW ENFORCEMENT AGENCIES TO FORM THE WEST VALLEY COALITION](#)

**Purpose:** This is a request for City Council to authorize the City Manager to approve the Intergovernmental Agreements (IGA) with law enforcement agencies to establish the West Valley Coalition, which will assist the Glendale Police Department with public safety services and security for the Arizona Sports and Tourism Authority Stadium (AZSTAS).

The participating law enforcement agencies are: Avondale Police Department (PD), Buckeye PD, El Mirage PD, Goodyear PD, Peoria PD, Phoenix PD, Surprise PD, Tolleson PD, Wickenburg PD, Youngtown PD, Maricopa County Sheriff's Office, and Arizona Department of Public Safety.

**Council Strategic Goals Or Key Objectives Addressed:** Entering into these agreements creates positive partnerships with other law enforcement agencies and provides cooperation for services needed at AZSTAS events. It addresses the Council goal of providing high quality services for citizens.

**Community Benefit:** The Glendale Police Department and all participating law enforcement agencies will be working together through partnerships to ensure that citizens experience a safe environment while attending entertainment events.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into these intergovernmental agreements with law enforcement agencies to provide public safety and security services.

## 23. REQUEST EXEMPTION FROM INDUSTRIAL COMMISSION OF ARIZONA SECURITY REQUIREMENTS

**Purpose:** This is a request for City Council to adopt a resolution stating that the city provides sufficient funding to cover liabilities for workers' compensation claims. Adopting a resolution in lieu of posting security will reduce workers' compensation trust fund expenses.

**Council Strategic Goals Or Key Objectives Addressed:** Maintaining sufficient funding to cover actuarial liabilities provides financial stability to meet current and future workers' compensation claim obligations.

**Background:** The Industrial Commission of Arizona revised rules in March 2005 to exempt public entities from posting a letter of credit provided they adequately fund liabilities and pass a resolution prior to July 1<sup>st</sup> each year.

**Budget Impacts & Costs:** By adopting the resolution the city avoids providing a letter of credit to the Industrial Commission. The annual cost for a letter of credit would exceed \$12,000.

**Recommendation:** Waive reading beyond the title and adopt a resolution stating that the city provides sufficient funding to cover liabilities for workers' compensation claims, and should funding become insufficient, the city will notify the Industrial Commission of Arizona (ICA) and provide proof of appropriate security.

24. INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR FIBER OPTIC CABLE ON SR 101L

**Purpose:** This is a request for City Council to approve an intergovernmental agreement with the Arizona Department of Transportation (ADOT) for installation of fiber optic cable and conduit on SR 101L between Camelback Road and 59<sup>th</sup> Avenue.

**Council Strategic Goals Or Key Objectives Addressed:** This project meets the Council strategic priorities of creating a city with high quality service for citizens.

**Background:** In 2004, the Transportation Department completed the installation of backbone fiber optic cable on 59<sup>th</sup> and Glendale avenues. These linear fiber segments do not provide any redundancy in the communications system. Redundancy has become increasingly more important as city facilities such as public safety and utilities sites, libraries and transportation infrastructure are connected. Installation of fiber on SR 101L from Camelback Road to 59<sup>th</sup> Avenue will allow for a redundant ring in the fiber backbone in case of damage to the fiber cable. ADOT is working on a larger regional fiber installation project in which Glendale has an opportunity to partner and share installation costs. ADOT's share of the project is approximately \$5.6 million.

**Budget Impacts & Costs:** The estimated cost for Glendale's fiber optic cable and conduit is \$737,870.49. Funds are available in the FY 2006-07 GO Transportation Program. Actual costs will be determined by a construction bid process to open in July by ADOT.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$737,870.49

**Account Name, Fund, Account and Line Item Number:**

L101 – Fiber Backbone, Account No. 33-9504-8330, \$500,000  
Smart Traffic Signals, Account No. 33-9445-8830, \$237,870.49

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to sign any and all documentation entering into an intergovernmental agreement with the Arizona Department of Transportation for installation of fiber optic cable and conduit on SR 101L.

25. SETTLEMENT WITH PRICEWATERHOUSECOOPERS IN THE NATIONAL CENTURY FINANCIAL ENTERPRISES BANKRUPTCY ACTION

**Purpose:** This is a request for City Council to adopt a resolution approving the proposed settlement with PricewaterhouseCoopers accounting firm, one of the auditors of the now defunct National Century Financial Enterprises ("NCFE").

**Council Strategic Goals Or Key Objectives Addressed:** Providing financial stability by resolving litigation in the most efficient and effective manner.

**Background:** In 2001 and 2002, the City of Glendale, as a member of the Local Government Investment Pool 55, invested \$3,554,291.12 in debt securities of NCFE. Decisions as to the management of the investment pool were made by the State of Arizona.

In order to pursue recovery of this loss in a cost efficient manner, Glendale joined with several other municipalities to form a consortium that would jointly pursue claims against several of the world's largest financial institutions and accounting firms, including PricewaterhouseCoopers (PWC). PWC was one of the auditors of NCFE during its existence.

As a result of the litigation with the consortium, Glendale has recovered \$516,641.76 of its initial investment. In May 2006, the law firm representing the consortium reached a potential settlement with PWC. The settlement provides that JP Morgan and its affiliates will pay a total of \$4.4 million. This settlement leaves another solvent defendant in this action, Credit Suisse First Boston, against which to pursue the remaining portion of the consortium's claims.

As with the prior approved settlements, this amount will be distributed pro rata among the consortium based on the amount of each member's initial investment. Glendale's portion of this recovery will be approximately \$106,000. This will bring the total recovery of losses in this matter to approximately \$623,000.

It was recommended by the City Attorney and the City's Chief Financial Officer, consistent with the recommendations of the consortium's legal counsel, the State Treasurer's office, and the Arizona Attorney General's Office, other consortium members, including larger international financial firms and funds, that the Council approve settlement of this claim for the amount offered.

**Recommendation:** Waive reading beyond the title and adopt a resolution approving the settlement with PricewaterhouseCoopers as outlined above in the National Century Financial Enterprises bankruptcy action.

## **PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

### **26. [GENERAL PLAN AMENDMENT \(GPA06-02\) AND REZONING \(ZON06-02\): 5251 NORTH 99<sup>TH</sup> AVENUE](#)**

**Purpose:** This is a request by Opus West for City Council to amend the General Plan designation from BP (Business Park) to OFC (Office) and rezone from A-1 (Agricultural) to C-O (Commercial Office) for an approximate 22-acre parcel located north of the northeast intersection of 99<sup>th</sup> Avenue and Camelback Road.

**Council Strategic Goals Or Key Objectives Addressed:** The existing General Plan designation of BP is not the most appropriate designation due to the site's proximity to Loop 101, the Glendale Arena, and the AZTSA Multipurpose Stadium. The proposed Office designation will

allow professional offices and associated office support services. This designation is also consistent with the General Plan objective of encouraging business growth for job opportunities and attracting diverse, high-paying industries within Glendale city limits.

The proposed C-O zoning designation is the most appropriate to allow for office development on the site. The office uses are also complimentary to the Loop 101 freeway, Glendale Municipal Airport, and the sports facilities located near the property.

**Background:** This property is currently vacant and owned by the Arizona Department of Transportation (ADOT). The developer of the site, Opus West, is currently in escrow with ADOT and plans to close escrow upon successful General Plan and Rezoning applications for the site. Opus West intends to construct an office complex on the site once these applications are approved.

**Previous Council/Staff Actions:** On May 18, 2006, the Planning Commission recommended approval of the General Plan Amendment and Rezoning application.

**Community Benefit:** The project promotes the development of vacant property and will provide much-needed office development to this area of Glendale.

**Public Input:** Notification letters were sent to 44 property owners and interested parties on April 12, 2006 inviting them to a neighborhood meeting at Desert Mirage Elementary School. The neighborhood meeting was held on April 26, 2006. No property owners or interested parties attended the meeting. The applicant or the Planning Department received no written responses or telephone calls in response to the mailing.

**Recommendation:** Conduct a public hearing, waive reading beyond the titles and adopt the resolution for General Plan Amendment GPA06-02 and the ordinance for Rezoning ZON06-02 subject to the stipulations as recommended by the Planning Commission.

27. [GENERAL PLAN AMENDMENT \(GPA05-09\) AND REZONING \(ZON05-16\): THE GLEN AT 83<sup>RD</sup> AVENUE - 8283 WEST GLENDALE AVENUE](#)

**Purpose:** This is a request by Berry and Damore LLC for City Council to approve a General Plan Amendment from 8-12 (Medium High Density Residential) to PC (Planned Commercial) and rezoning from R-3 (Multiple Residence) to NSC (Neighborhood Shopping Center). The property is located at the southeast corner of Glendale and 83<sup>rd</sup> avenues.

**Council Strategic Goals Or Key Objectives Addressed:** The proposed General Plan Amendment and rezoning request is consistent with the General Plan objective of promoting economic development.

**Background:** The property is currently vacant. The property owner intends to develop the property for a mix of retail and office uses. The request is to amend the General Plan designation for the property from 8-12 dwelling units per acre (Medium High Density



Residential) to PC (Planned Commercial) and to rezone from R-3 (Multiple Residence) to NSC (Neighborhood Shopping Center).

The proposed development will consist of seven single-story retail or office buildings between 6,900 and 12,000 square feet in size, each constructed in a landscaped setting with a common architectural theme. The proposed total building area is approximately 62,000 square feet, and the overall site is approximately 8.24 acres in size. Parking, including some covered parking, is located between the buildings, with minimal parking directly adjacent to Glendale and 83<sup>rd</sup> avenues.

The NSC (Neighborhood Shopping Center) district is a commercial district intended to meet the consumer demands of surrounding neighborhoods. Neighborhood Shopping Centers are to be planned, developed and operated as single entities, with shared access and parking, and common architecture, landscaping, and signage.

The NSC zoning district provides that design review for the entire site must be approved prior to the issuance of building permits for any portion of the site. Within the NSC district, the first phase of development must include the major anchor for the center, and a master development plan for the entire area of the rezoning request. These requirements have the effect of requiring a more detailed development plan at the time of rezoning, and will result in a development which displays a unified plan of development, rather than the uncoordinated development which sometimes occurs in traditional commercial (C-1, C-2, C-3) zoning districts.

The NSC district does not permit the range of general retail and commercial uses allowed in the General Commercial (C-2) district. The permitted uses list of the NSC zoning district is reasonable and appropriate given the location of this site.

The development is expected to accommodate a variety of retail and office uses, as permitted in the NSC district. With the NSC district designation, development is tied to a specific master development plan, including provisions for plazas and a master sign package. Significant modification of the master development plan will require an amendment to the approved rezoning.

The requested rezoning is consistent with the new General Plan designation and would bring the property into conformance with the General Plan designation of Planned Commercial.

**Previous Council/Staff Actions:** On May 4, 2006, the Planning Commission recommended approval of the General Plan Amendment and rezoning application subject to five stipulations.

**Community Benefit:** The General Plan Amendment and rezoning will allow the development of a neighborhood shopping center with retail and office uses. Located on the corner of two arterials, the General Plan designation of Planned Commercial, and the zoning designation of Neighborhood Shopping Center is appropriate for this site. The project promotes the development of vacant property and will provide retail opportunities and professional offices for residents and businesses in Glendale. The rezoning prohibits the development of the property for multifamily uses.



**Public Input:** The applicant held a neighborhood meeting on October 27, 2005 at Independence High School at 6602 North 75<sup>th</sup> Avenue. Property owners within 300 feet of the site were notified. One representative of a surrounding property owner attended the meeting and the attendee supported the land use, site plan, and building architecture.

A second neighborhood meeting was held on January 4, 2006 at Independence High School. No neighbors attended this meeting.

The applicant indicated that they received one phone call from a resident in the neighborhood east of the property who supported the request. A letter was written in support of this request by the owners of the apartment complex to the south, the Las Villas Del Sol limited partnership.

Staff received one comment of support and one letter and e-mail of opposition. Following discussion of the project between the applicant and the property owner, the property owner wrote a letter and e-mail in support of the proposal.

One business owner in the adjacent shopping center on the southwest corner of Glendale and 83<sup>rd</sup> avenues spoke in favor of the request at the Planning Commission hearing.

**Recommendation:** Conduct a public hearing, waive reading beyond the titles and adopt the resolution for General Plan Amendment application GPA05-09 and the ordinance for Rezoning Application ZON05-16 subject to the stipulations as recommended by the Planning Commission.

## **ORDINANCES**

### 28. [ANNEXATION AREA NO. 160 ORDINANCE](#)

**Purpose:** This is a request for City Council to adopt annexation ordinance for Annexation Area No. 160, which consists of 738 acres located at the southeast corner of Loop 303 and Olive Avenue.

**Council Strategic Goals Or Key Objectives Addressed:** This annexation request supports the strategic goals of:

- Strong Neighborhoods – the area to be annexed will be the future home to one of Glendale's strong neighborhoods in the far west area of the city.
- Quality Economic Development – a significant amount of acreage will be available for potential sales tax revenue generating activities as well as employment areas.
- Maintaining an Active Partnership with Luke Air Force Base - active coordination and review processes will be completed with Luke Air Force Base to ensure compatibility of future land uses with the continuing mission of the Base.
- High Quality Services for Citizens – annexation of this area adjacent to Loop 303 provides an opportunity for the city to establish emergency response services to the future residents, retailers, and employers that will locate in this portion of Glendale.

**Background:** The 738-acre site is located at the southeast corner of Loop 303 and Olive Avenue within the Glendale strip annexation boundary. This site will be the second location west of Luke Air Force Base to annex into the city. One family owns the property and signatures have been gathered in support of annexation.

The property is currently being farmed and contains no population at this time. The initial City of Glendale zoning for the property will be A-1 (Agricultural). Private utility companies already serving or expanding into the area will provide utilities to this site. The city will be responsible for providing police, fire and emergency response services, as well as sanitation services when development occurs on the site.

**Previous Council/Staff Actions:** The Council conducted a public hearing on January 10, 2006 on the blank annexation petition for Annexation Area No. 160 as required by State Statute.

**Community Benefit:** Annexation of this site would require that any future development of this area meet the Glendale General Plan requirements, as well as all other development standards for the City of Glendale. The city will benefit from additional employment opportunities, future sales tax revenue, as well as additional population from the development of this property.

**Recommendation:** Waive reading beyond the title and adopt an ordinance increasing the Glendale city limits, as defined in the annexation ordinance for Annexation Area No. 160.

29. [SALT RIVER PROJECT WELL SITE LAND EXCHANGE AND EASEMENT: NORTHWEST CORNER OF 75<sup>TH</sup> AVENUE AND BETHANY HOME ROAD](#)

**Purpose:** This is a request for City Council to adopt an ordinance granting a land exchange and an ingress/egress easement in favor of Salt River Project (SRP) on city-owned property on the northwest corner of 75<sup>th</sup> Avenue and Bethany Home Road. SRP will grant the city a portion of its existing well site in exchange for the city granting SRP a portion of land adjacent to the north of its well site. The land exchange and ingress/egress easement are necessary for the intersection improvements at 75<sup>th</sup> Avenue and Bethany Home Road.

**Background:** The city will be making improvements to the intersection of 75<sup>th</sup> Avenue and Bethany Home Road. The city requested SRP relocate some of its facilities and exchange a small portion of its well site for city-owned property to accommodate the construction in this area. This exchange and easement are necessary to protect SRP's land rights and facilities in the new location.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute all documents necessary to grant a land exchange and an ingress/egress easement in favor of Salt River Project.

30. [PROPOSED INCREASE TO DEVELOPMENT IMPACT FEES](#)

**Purpose:** This is a request for City Council to adopt an ordinance amending the development impact fees with an effective date of September 12, 2006. Development impact fees (DIF) are

one-time charges to developers that are used to offset capital costs resulting from new development. They are necessary to expand and develop new facilities to serve new growth so cities can continue to provide the same level of service to new growth as that provided to existing residents.

**Background:** On October 12, 2004, Council approved the selection of Tischler & Associates (subsequently named TischlerBise) to provide this update for the city's development impact fees, with the exception of water and sewer. TischlerBise completed the city's prior DIF updates in 2000 and 2001. TischlerBise also has done impact studies for Avondale, Buckeye, Carefree, Casa Grande, Coolidge, Eloy, El Mirage, Flagstaff, Gilbert, Goodyear, Northwest Fire District, Peoria, Phoenix, Queen Creek, Scottsdale, Surprise and Tolleson.

Consultant Black & Veatch prepared an updated report on the city's water and sewer DIF. Their update utilized the methodology established by Tischler & Associates in the comprehensive fee study completed in 2001.

The two DIF studies are based on planning and zoning information, existing levels of service provided to current residents, the FY 2005-14 Capital Improvement Plan and the December 14, 2005 Black & Veatch evaluation. Revenue from the proposed changes is expected to cover the costs associated with growth.

**Previous Council/Staff Actions:** DIF for parks, water and sewer have existed for several years. Fees for streets, library and public safety were implemented in 1997. Fees were implemented for solid waste (sanitation and landfill), roadways and general government in 2000. The public safety fee was separated into police facilities and fire/emergency medical services in 2001.

In 1997, Council requested that the fees be revisited and updated every three years.

The last update for library; parks, recreation and open space; police; fire/emergency medical services; general government; solid waste; and roadway improvements was completed in 2001 and adopted by Council on October 9, 2001, with an effective date of January 10, 2002.

The last update for water and sewer DIF was completed in 2003 and adopted by Council on May 25, 2004, with an effective date of August 2, 2004.

On February 7, 2006, Council was presented the current proposed DIF report at a workshop. The report presented at that workshop is the supporting documentation for this public hearing.

On February 28, 2006, Council adopted a resolution stating the city's intent to increase development impact fees (DIF) and set a public hearing date of May 9, 2006 subsequently rescheduled to May 23, 2006.

On May 23, 2006, Council held a public hearing for amending the development impact fees.

**Community Benefit:** By implementing the new DIF, the city will be able to maintain its current level of service to existing residents and support future growth.

**Public Input:** The public was provided an opportunity to comment during the May 23, 2006 public hearing. March 1 thru April 30<sup>th</sup> reflects the 60-day public posting period. The new fees become effective 90 days after the ordinance is adopted.

On January 4, 2006, staff met with representatives from the Home Builders Association of Central Arizona (HBACA) and Arizona Multihousing Association (AMA) to discuss the material provided to both organizations on December 21, 2005 regarding technical aspects of the development fee methodology and supporting data for the proposed development impact fees for all categories including water and sewer.

On December 21, 2005, HBACA and AMA representatives were provided, by e-mail and written report or letter, a response to the October 3, 2005 questions, as well as the revised DIF reports from TischlerBise and Black & Veatch.

On October 3, 2005, HBACA submitted a series of questions to the city regarding the discussion on the technical aspects of the development fee methodology and supporting data for the proposed development impact fees for all categories except water and sewer.

On July 18, 2005, staff and Black & Veatch met with representatives from the HBACA and the AMA to discuss the technical aspects of the development fee methodology and supporting data for water and sewer DIF.

On June 14, 2005, staff and TischlerBise met with representatives from the HBACA and the AMA to discuss the technical aspects of the development fee methodology and supporting data for the proposed development impact fees for all categories except water and sewer.

**Recommendation:** Adopt an ordinance amending the development impact fees with an effective date of September 12, 2006.

### 31. [DEEDS AND EASEMENTS ORDINANCE](#)

**Purpose:** This is a request for City Council to formally accept real estate properties on behalf of the City of Glendale.

**Background:** The Deeds and Easements Ordinance is comprised of properties that have been deeded to the City. The City Clerk has recorded these deeds with Maricopa County. As a matter of practice, the Council formally accepts these properties by ordinance.

**Recommendation:** Waive reading beyond the title and adopt an ordinance formally accepting the real estate properties on behalf of the City of Glendale.

## **PUBLIC HEARING – RESOLUTIONS**

### **32. FISCAL YEAR 2006-07 PRELIMINARY OPERATING BUDGET AND FISCAL YEAR 2007-2016 PRELIMINARY CAPITAL BUDGET**

**Purpose:** This is a request for City Council to review the FY 2006-07 preliminary operating budget and FY 2007-2016 preliminary capital budget, conduct a public hearing, and adopt a resolution formally approving the preliminary operating and capital budgets and giving notice of the date for setting the property tax levy. Council approval of the preliminary budgets will set the maximum level of expenditures for FY 2006-07. Adjustments and reallocation of appropriation authority can be made after adoption of the preliminary budget, but the total amount of appropriation cannot be increased.

Once Council approves the preliminary operating and capital budgets, a public notice will be published in a newspaper of general circulation for two weeks, with the adoption of the final operating and capital budgets and the required public hearing scheduled for June 27, 2006. The property tax levy adoption and public hearing also are scheduled for June 27, 2006.

**Council Strategic Goals Or Key Objectives Addressed:** The budget incorporates the Council's strategic goals and key objectives while ensuring the city's financial stability by presenting realistic analyses about the provision of city services and future revenue expectations.

**Background:** A series of Council budget workshops were conducted in March and April 2006 to review the proposed FY 2006-07 operating budget and the FY 2007-16 capital budget, as well as the General Fund (GF) revenue projection for FY 2006-07.

The FY 2006-07 operating and capital budgets, as reflected in the FY 2006-07 preliminary budget book, is balanced. The foundation is Council's vision of 'one community' and the supporting strategic goals and key objectives, which are identified below:

- Supporting strong neighborhoods,
- Fostering quality economic development,
- Continuing the development of a vibrant city center,
- Maintaining an active partnership with Luke Air Force Base,
- Providing high quality services for citizens, and
- Continuing with fiscally sound financial management practices.

The recommended budgets address these strategic goals and objectives. They also identify other community needs, with public safety having a high priority, while also focusing on fiscal responsibility. The intent of the recommended budgets is to better provide quality city services that support a high quality of life for the entire Glendale community. The recommended budgets also reflect continued investment in the community as a result of Council's prudent direction.

On the operating side, City Council approved memorandums of understanding with both police and fire personnel to ensure Glendale obtains and retains the most highly qualified staff to

provide public safety services to our residential and business communities. In addition, City Council approved pay adjustments for the rest of city staff to ensure Glendale remains competitive in recruiting and retaining the best qualified staff. The pay adjustments continue to be based on a market survey of other Valley cities. Overall, City Council approved the addition of \$5.2M to the General Fund (GF) base budget to implement these important pay adjustments.

In keeping with the strategy of addressing staffing issues as part of the FY 2006-07 budget, Council added a total of 115.5 new positions, with 82.5 positions added to the General Fund base budget and 33 positions added to the base budget of other funds. Another 13 positions were added mid-year FY 2006 as a result of a federal grant to facilitate the hiring of new police officers. Steadily increasing demands for city services have occurred over the past several years as Glendale's population continues to grow, especially with the rapid transformation of Glendale's western area. Now ongoing revenue sources have increased sufficiently to support additional staff. Examples of some of the positions added to the FY 2006-07 budget are explained below.

- As a result of additional staff for the Police Department as well as civilianization of several positions, 31 officers will be deployed to provide direct services to the Glendale community. Some of the additional ongoing staffing for the Police Department includes 22 new patrol officer positions (includes 13 officer positions attributable to the federal government's COPS universal hiring grant awarded early in 2006), and a training academy officer. The non-sworn positions include three accident investigators, one impound administrator, one identification technician, one communication specialist, one detention officer, one research and planning analyst, one stadium events coordinator, one stadium events scheduler, and three case managers to be assigned to the criminal investigations bureau.
- The Fire Department will see the addition of 16 new, ongoing positions, including 14 firefighter positions, two of which will be dedicated to the new training facility, as well as two fire inspector positions. Included in this new staffing is phase II of the Rapid Response Team, an urban rescue team trained to respond to threats or acts of terrorism, a program that Council approved in July 2004 when the city formally accepted a federal homeland security grant;
- The Homeland Security Department will receive six new, ongoing positions, including staff needed to start up and operate the Emergency Operations Center as it opens in FY 2006-07.
- The City Attorney's Office will receive six new, ongoing positions, with all being assigned to the City Prosecutor's Office, to ensure compliance with city codes that promote public health and safety, eliminate conditions that contribute to blight and deterioration, and preserve the quality of life in neighborhoods.
- Five new, ongoing positions will supplement the current staffing of the City Court, including the conversion of two grant-funded positions to full-time, ongoing positions.
- The staffing of the Parks and Recreation Department will be supplemented by the addition of 11 new, ongoing positions, including nine positions for the Foothills Recreation and Aquatic

Center. The center is a new facility that will open in FY 2006-07 and offer diverse recreational opportunities that meet the needs of the community.

- Four new, ongoing building inspector positions will help the Building Safety Department address the service needs of the prolonged and ongoing increase in new construction activity underway in the Glendale community.
- One marketing and event coordinator for Glendale's Civic Center will address the ongoing increase in business volume that the facility has experienced over the past few years. The addition of another full-time event coordinator will allow staff to be more proactive in soliciting business, attracting and working with clients to ensure facility expectations are understood, and event planning and implementation to ensure smooth operations for the duration of various events.
- Two new, ongoing equipment mechanics for the city's equipment management facility will help to service and repair the city's growing fleet of vehicles that now totals 1,268.
- The Utilities Department will see the addition of 18 new, ongoing positions to address the growing service demands of the city's water and wastewater customers.

Aside from increases to staffing levels, other additions to the FY 2006-07 operating budget include the following:

- Approximately \$1.6M in one-time funds to address specialized equipment needs of the Police Department, as well as overtime, some vehicle maintenance cost increases that may not be of an ongoing nature, and recruitment costs for new positions;
- Approximately \$2M in one-time funds to replace specialized fire equipment used to provide direct services to the Glendale community, provide additional paramedic training in advanced life support, and add another rescue medic unit so engine and ladder companies can improve their response and reliability performance for real fire situations;
- Approximately \$3M in funds for the city's pavement management program, an amount that is \$750,000 or 33% more than the FY 2005-06 allocation of \$2.25M; and
- \$700,000 for the Neighborhood Improvement Grants program to provide capital improvements to various neighborhoods throughout the city such as right-of-way landscaping enhancements and neighborhood entryways.

The principal issue Glendale faces in FY 2006-07 is related to the status as host city for the national Fiesta Bowl and first-ever Bowl Championship Game. These two events are coming to Glendale for the first time in FY 2006-07. The costs associated with providing public safety services and other city services to these world-class sports facilities can be significant. To prepare the city for this situation, Council set aside a total of \$7M in a National Events Fund (\$1M in FY 2004-05 plus \$5M in FY 2005-06 plus \$1M in FY 2006-07) for the 2007 Fiesta Bowl and Bowl Championship Series events plus the 2008 Super Bowl and related events.

During FY 2005-06, key objectives related to the upcoming national events were established. They are as follows:

- Complete capital and major economic development projects such as the Emergency Operations Center and the Media Center/Conference Center/Parking Garage located adjacent to the city's professional sports facilities.
- Ensure safe and attractive public areas.
- Maximize resident, neighborhood, and business participation and involvement.
- Promote Glendale's amenities to capture an increase in tourism and economic development.
- Create a cross-functional, one-stop, expedited permit center.
- Modify relevant city codes and ordinances related to life and safety issues.
- Ensure fiscal accountability.

While much work on accomplishing these objectives occurred in FY 2005-06, more work is planned for FY 2006-07. Specifically, funds are budgeted in FY 2006-07 to address these key objectives as well as other costs associated with hosting these national football events and related activities. Glendale anticipates spending a total of approximately \$4M out of the National Events Fund in FY 2006-07. An additional \$1M is appropriated in the event unplanned expenses requiring timely decisions surface. As the city works through these events for the first time, staff will continue to evaluate the costs associated with hosting these world class events to ensure prudent and fiscally responsible use of city funds.

On the capital side, construction on phase I of the Public Safety Training Facility and the Emergency Operations Center is expected to continue into FY 2006-07, with both facilities opening after the fiscal year begins. Construction on a new facility for Fire Station 151 is expected to commence in FY 2006-07. Fire Station 151 will be moving from its current location in a residential neighborhood to a new location that should facilitate better response times with less disruption to residential neighbors. Also underway are studies for a downtown parking garage and new police and fire administration facilities in the center city area.

In the emerging sports, entertainment, retail, commercial, and residential corridor in west Glendale, construction has begun on a privately financed Marriott Renaissance Hotel and Spa. Other facilities to be constructed in conjunction with this hotel project are an 80,000 square foot conference center and parking garage, a first-class Media Center, and a new Cable Studio for the city's own cable station, KGLN 11. Numerous water, wastewater, and sewer capital projects are also scheduled for FY 2006-07 as the city continues to devote the necessary resources to maintain and upgrade the city's potable water system and sanitary sewer system. Overall, the FY 2006-07 capital budget reflects the city's commitment to making the capital investments needed to meet the needs of the Glendale residential and business community.

The FY 2006-07 GF revenue projection is fiscally prudent and reasonable and is linked to forecasts by experts on the Arizona economy. The consensus among experts on the Arizona economy is that next year will see a continuation of the vibrant, strong economy we are experiencing today. Nevertheless, a cautious approach was taken in establishing the GF revenue projection for FY 2006-07.



An indication of the strength in today's economy is the growth Glendale has experienced with GF ongoing revenue. Between FY 2001-02 and FY 2004-05, GF ongoing revenue increased 26% or \$30.2M. City sales tax revenue increased 27% or \$11.1M over the same period of time, with state-shared revenue rising 6% or \$2.8M.

These ongoing revenue sources have continued to grow in the current fiscal year. For example, FY 2005-06 state-shared revenue is expected to come in \$5.2M or 10.5% ahead of collections in FY 2004-05. The city is well on its way to meeting that expectation. At the end of nine months, FY 2005-06 state-shared revenue source is already \$5.7M or almost 16% ahead of collections in FY 2004-05.

The story is the same for city sales tax receipts. FY 2005-06 city sales tax revenue is expected to come in \$6.2M or 12% ahead of collections in FY 2004-05. Again, the city is well on its way to meeting that expectation. At the end of nine months, FY 2005-06 receipts are more than \$4M or 10% ahead of FY 2004-05 collections for the same period. As with state-shared revenue, city sales tax collections typically are higher during the last half of the fiscal year.

While the city has experienced some outstanding rates of growth in its ongoing GF revenue over the past few years, the FY 2006-07 GF revenue projection reflects continued but more moderate growth. Specifically, the GF ongoing revenue projection assumes a cautious growth rate of 4.3%, which equates to \$6.8M more than the GF revenue we expect to collect this fiscal year. For city sales tax, the projection reflects a 5.9% growth rate. For state-shared revenue, the projection reflects a 4% growth rate after adjusting for the expected impact of the mid-decade census on the distribution of state-shared revenues.

The city's revenue is expected to continue growing in FY 2006-07 as the phase I development of the Westgate project is expected to open its committed retail, restaurant, and entertainment venues totaling approximately 500,000 square feet. In addition, development in and around Glendale's professional sports facilities is moving forward at a rapid pace. Of particular note is the southwest region's first Cabela's store that is expected to open in late summer 2006 in the Zanjero development. Complementary tourist businesses, such as hotels and restaurants, are also coming out of the ground in the Zanjero development.

The realized and anticipated growth in ongoing revenue is significant because it means Glendale can support and maintain quality, ongoing city services to sustain a high quality of life for the Glendale community. This kind of healthy growth is a result of the economic development strategies that are based on Council's guidance. These economic development strategies have led to Glendale's strong financial position that positions us for a bright future.

**Previous Council/Staff Actions:** The fifth budget workshop occurred on April 11, 2006. The topics addressed at that workshop included whether

- to fund the recommended FY 2006-07 operating budget, including all supplemental requests that were presented during the past four budget workshops, and were also published in the Council budget workbook that was distributed to Council on March 2, 2006; and

- to approve the Preliminary FY 2007-16 Capital Improvement Plan (CIP), including the pay-as-you-go (PAYGO) program.

Also discussed at the fifth workshop were the following issues, which were addressed in written responses to Council as a result of questions that arose during the prior four budget workshops:

- Neighborhood traffic mitigation,
- Traffic signal warrant and construction program,
- Civic Center maintenance reserve,
- Acceleration of landscape improvements in high impact areas,
- And mega events budget discussion follow up.

The fourth budget workshop occurred on April 4, 2006. The topics addressed at that workshop were the budget requests for the following departments or subject areas: Administrative Services; Management and Budget; Economic Development; Rebates and Incentives; Finance; Lease Payments; Information Technology; City Auditor's Office; City Manager's Office; Community Action Program; Human Resources budget requests, with the exception of the total compensation supplementals, which were addressed at the April 11 budget workshop; Employee Groups; Intergovernmental Programs; Marketing and Communications; Civic Center; and Utilities. Also presented was the preliminary FY 2007-16 CIP, which includes the PAYGO program and supplemental requests related to the operation and maintenance of capital projects coming on line in FY 2006-07.

The third budget workshop occurred on March 28, 2006. The issues addressed at that workshop were the budget requests for the following departments or subject areas: Community Development Administration, Building Safety, Code Compliance, Engineering, Planning, Transportation, Public Works Administration, Environmental Resources, and Field Operations.

The second budget workshop occurred on March 21, 2006. The issues addressed at that workshop were the budget requests for the following departments or subject areas: Police, Fire, Homeland Security, City Attorney, City Clerk, City Court, City Council Office, Office of the Mayor, Mega Events, Community Information & Service Administration, Community Partnerships, Neighborhood Grants, Residential Infill Housing, Library & Arts, Parks & Recreation, and Non-Departmental.

The preliminary capital improvement program report was distributed to the Mayor and Council on March 15, 2006.

The first budget workshop occurred on March 14, 2006. The issues addressed at that workshop were the FY 2005-06 second quarter report on General Fund (GF) revenues and expenditures and the FY 2006-07 GF revenue projection, as well as the Police Department staffing study.

**Community Benefit:** Glendale's budget is an important financial, planning and public communication tool. It gives residents and businesses a clear and concrete view of the city's direction for public services, operations and capital facilities and equipment. It also provides the

community with a better understanding of the city's ongoing needs for stable revenue sources to fund public services, ongoing operations and capital facilities and equipment.

The budget also provides Council and residents a means to evaluate the city's financial stability.

**Public Input:** All budget workshops were open to the public and were posted publicly per state requirements.

**Budget Impacts & Costs:** The annual budget (all funds) for the City of Glendale is divided into four major components, which include all appropriations for the city. The total budget, including all four components is \$913 million.

The four components and their respective total amounts for FY 2006-07 are as follows:

- The *operating budget* finances the day-to-day provision of city services and totals \$337 million (all funds);
- The *capital improvement budget* funds the construction of city facilities, such as roads and buildings, and totals \$435 million (all funds) for FY 2006-07;
- The *debt service budget* is used to repay money the city has borrowed, primarily for capital improvements, and totals \$53 million (all funds); and
- The final component of the budget is the *contingency appropriation*, which is made up of funds reserves and is available to cover emergency expenses or revenue shortages, and totals \$88 million (all funds) for FY 2006-07.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and adopt a resolution approving the FY 2006-07 preliminary operating budget and the FY 2007-16 preliminary capital budget and give notice of the date for a public hearing on setting the property tax levy.

### 33. [PROPOSED INCREASE IN WATER AND SEWER RATES](#)

**Purpose:** This is a request for City Council to hold a public hearing and adopt a resolution implementing a water and sewer rate adjustment effective with the October 2006 utility billing.

**Council Strategic Goals Or Key Objectives Addressed:** An adjustment in water and sewer rates is necessary to continue to maintain the council goal of providing high quality services to Glendale citizens.

**Background:** One of Glendale's top priorities is to provide safe drinking water 24 hours a day, seven days a week to its utilities customers. In order to provide the best water and sewer services, and remain in compliance with Federal and State regulatory requirements, there are a series of improvements that need to be completed. These include construction of the Oasis

Water campus, renovation of water and wastewater treatment plants, rehabilitation of the water distribution and sewer collection systems and security enhancements to critical facilities.

The recommended rate adjustments are necessary to provide the financial resources to complete the required improvements, which are listed in the ten-year Capital Improvement Program, and ensure that the Water and Sewer Enterprise Funds maintain adequate operational cash reserves.

In 2005, as part of the Utilities Department comprehensive annual needs assessment, the consulting firm of Black & Veatch was contracted to update the 2003 water and sewer rate report. This update was necessary to address the revised cost estimates of projects included in the Utilities needs assessment and the ten-year Capital Improvement Program. These revised cost estimates reflect the inflationary trend in the construction market and additional costs resulting from recommendations of the Utilities Security Master Plan. As part of the update, Black & Veatch also reviewed and evaluated revenues and revenue requirements of the Utilities Department. The results of this updated analysis were presented at the March 7, 2006 Council workshop with the stipulation that the requested adjustment would be for FY 2006-07 with Council reviewing the rates annually.

**Previous Council/Staff Actions:** On May 9, 2006, the Council adopted a notice of intention to increase water and sewer rates and set the public hearing for June 13, 2006.

On October 26, 2004, following the legally prescribed public hearing, Council authorized the adoption of a resolution implementing water rate adjustments effective with the January 2005 water utility billing.

Prior to the January 2005 rate increase, no water rate increases had been authorized since November 1, 1995.

On January 13, 2004, following the legally prescribed public hearing, Council authorized the adoption of a resolution implementing a sewer rate adjustment effective with the February 2004 utility billing. This was the last previous sewer rate increase authorized by Council.

**Community Benefit:** The proposed water and sewer rate adjustments will help to ensure that the city has the financial resources to continue to provide the highest quality water and sewer services to Glendale citizens and remain in compliance with Federal and State regulations.

**Public Input:** Public input will be received during the June 13, 2006, public hearing.

**Recommendation:** Conduct a public hearing, waive reading beyond the title and adopt a resolution implementing water rate and sewer rate adjustments effective with the October 2006 utility billing.

## **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

## **CITIZEN COMMENTS**

**If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the matter to the City Manager for follow up. Once your name is called by the Mayor, proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.**

## **COUNCIL COMMENTS AND SUGGESTIONS**

## **ADJOURNMENT**

**Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:**

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));**
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));**
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));**
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));**
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or**
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).**